

REMARKS

Claims 1-13 are now present in this application as claims 14-25, which are directed to the non-elected Group II invention, have been canceled without prejudice or disclaimer to the subject matter contained therein for placing the present application in condition for allowance. Applicants reserve the right to file a divisional application on the non-elected Group II invention including at least the canceled claims 14-25. Accordingly, reconsideration and allowance of claims 1-13 in the present application are earnestly solicited in view of the following remarks.

Claims 1-13 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over co-pending U.S. Application Serial No. 10/007,530 in view of U.S. Patent No. 6,020,592 to Liebert et al., U. S. Patent No. 6,182,604 to Goeckner et al., U.S. Patent No. 6,165,367 to Miyake et al., and U.S. Patent No. 5,911,832 to Denholm et al. This rejection is respectfully traversed.

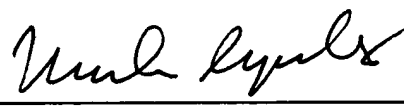
A Terminal Disclaimer, which has been signed by an attorney of record, is attached hereto for overcoming this provisional rejection under the judicially created doctrine of obviousness-type double patenting. The co-pending U.S. Application Serial No. 10/007,530 relied upon in this rejection has issued as U.S. Patent No. 6,716,727 on April 6, 2004 and this issued patent is referenced in the attached Terminal Disclaimer. Accordingly, it is respectfully submitted that this provisional double patenting rejection be reconsidered and withdrawn.

In view of the cancellation of claims 14-25, the submitted Terminal Disclaimer and for all of the above stated reasons, it is respectfully submitted that the outstanding rejection has been overcome. Therefore, it is requested that claims 1-13 of the present application be passed to issue.

If any issues remain unresolved, the Examiner is requested to telephone the undersigned attorney.

Please charge any additional fees or credit any overpayments to deposit account No. 50-0896.

Respectfully submitted,
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Enclosure: Executed Terminal Disclaimer